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Convention on the
Rights of the Child

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CONFERENCE OF THE STATES PARTIES
UNDER ARTICLE 50 OF THE CONVENTION
New York, 8 December 1995

CONSIDERATION OF THE AMENDMENT TO ARTICLE 43, PARAGRAPH 2, OF THE CONVENTION, PROPOSED BY COSTA RICA UNDER ARTICLE 50, PARAGRAPH 1, OF THE CONVENTION

Note by the Secretary-General

1. At present, there are 180 States parties to the Convention on the Rights of the Child, which has become, within an exceptionally short period, the international human rights instrument with the largest number of ratifications.

2. The World Conference on Human Rights recommended that the Committee on the Rights of the Child should be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratification and subsequent submission of country reports.

3. Article 50 of the Convention on the Rights of the Child, sets out the following procedure concerning amendments:

> "1. Any State may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

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* Reissued for technical reasons.

GE.95-19217 (E)

"2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

"3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted".

4. In accordance with article 50, paragraph 1 of the Convention, the Government of Costa Rica on 17 April 1995 proposed the following amendment to article 43, paragraph 2 of the Convention:

"2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal system."

5. In compliance with article 50, paragraph 1 of the Convention, the Secretary-General, by a note verbale dated 19 July 1995, brought the proposed amendment to the attention of the States Parties and requested them to notify him within four months of the depositary notification, i.e. not later than 22 September 1995, whether they favoured a conference of States Parties for the purpose of considering and voting upon the proposed amendment. More than one third of the States Parties had notified him by that date that they favoured such a conference. 1/

1/ The list of those States is contained in the annex to the present document.

Annex

List of States parties to the Convention on the Rights of the Child which have indicated pursuant to article 50, paragraph 1, that they are in favour of a conference of States parties for the purpose of considering and voting upon the amendment proposed by Costa Rica

Albania
Argentina
Armenia
Australia
Belize
Benin
Bolivia
Brazil
Bulgaria
Burundi
Cambodia
Canada
Chad
Chile
Colombia
Congo
Côte d'Ivoire
Cuba
Czech Republic
Djibouti
Dominica
Dominican Republic
Ecuador
El Salvador
Fiji
Germany
Guatemala
Guinea
Guinea Bissau
Holy See
Honduras
Israel
Jamaica
Lebanon
Malta
Mexico
Morocco
Nepal
Netherlands
Nicaragua
Niger
Nigeria
Pakistan
Panama
Paraguay
Peru
Philippines
Republic of Korea
Romania
Slovak Republic
Slovenia
Solomon Islands
Spain
Thailand
Trinidad and Tobago
Tunisia
Uganda
Uruguay
Viet Nam
Zambia